



1/15/04

## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79304

Sadashige IRIE, et al.

Allowed: November 5, 2004

Appln. No.: 10/758,041

Group Art Unit: 1711

Confirmation No.: 6145

Examiner: Nathan M. Nutter

Filed: January 16, 2004

For: TRANSPARENT ELASTOMER COMPOSITION

#### **INFORMATION DISCLOSURE STATEMENT**

#### **UNDER 37 C.F.R. §§ 1.97 and 1.98**

#### **MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications if this application was filed after June 30, 2003; and co-pending non-provisional U.S. applications filed after June 30, 2003.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of the Supplemental European Search Report in a counterpart application citing such documents, together with an English translation of the Abstract of WO99/24484.

11/15/2004 AADD01 00000103 10758041

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DE 199 09 574 A cited in the Supplemental European Search Report is already of record. EP 1 000 976 A, also cited in the Search Report, is a family member of US 6,476,144, also of record. The copies therefore, are not being submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

INFORMATION DISCLOSURE STATEMENT  
U.S. Application No.: 10/758,041

Attorney Docket Q79304

overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 12, 2004



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**STATEMENT UNDER 37 CFR § 1.97(e)**

**MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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**23373**

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Substitute for Form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(use as many sheets as necessary)**Complete if Known*

Application Number	10/758,041
Confirmation Number	6145
Filing Date	January 16, 2004
First Named Inventor	Sadashige IRIE
Art Unit	1711
Examiner Name	Nathan M. Nutter
Attorney Docket Number	Q79304

Sheet

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of

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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 3,853,809		12-10-1974	John W. Martin, et al.
		US			
		US			
		US			
		US			
		US			
		US			
		US			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	99/24484	A1	05-20-1999	DAIKIN INDUSTRIES, LTD.	Abstract
		EP	1 029 875	A1	08-23-2000	DAIKIN INDUSTRIES, LTD.	

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Supplementary European Search Report EP 00 96 2855 dated October 15, 2004.	
		Patent Abstracts of Japan 11199739 published July 27, 1999.	Yes
		Patent Abstracts of Japan 58206645 published December 1, 1983.	Yes
		Patent Abstracts of Japan 60137951 published July 22, 1985.	Yes

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.